

Record of the Substance of the Discussion

Participants: Supervisory Patent Examiner: Steve Griffin
Applicant: Sheng-Guo Wang
Date: 04-27-2006

1. SPE and Applicant give brief greetings.

Applicant thanks SPE for his time to let Applicant have the discussion.

Applicant expresses his thanks to Honorable Under Secretary Jon Dudas and Honorable Commissioner for Patents John Doll.

Applicant thanks SPE and new Examiner for their writing Examiner's proposed allowable claim to the present invention.

2. Applicant proposed amended Claims 21-22 and 24-26 and new Claims 37-41 are discussed as 3 groups because the claims recite 3 kinds/groups of the distinguished and patentable processes/methods.

3. Following today's discussion and SPE's suggestion, Applicant will amend claims further for the new claim group, keep all steps (paragraphs) of the Examiner's proposed new claim with only supported amendments from the Specification by combining proposed claim 37 and claim 38 as a whole as an independent claim based on today's discussion agreement, then add some dependent claims on that.

4. For the new claims, SPE advises that the Examiner's proposed allowable claim can not be separated and divided into two claims. Some reasonable change will be allowed with the support from the specification, but it can not be divided into two claims.

Applicant expresses that he will follow SPE's advice suggestion.

Then, Applicant explains the proposed amendments by following the SPE's advice suggestion, and points out the specific support by the Specification with clear paragraphs numbers, e.g., 0040, 0044, 0067, etc. SPE reads these paragraphs to see the support.

Applicant will highlight all amendments based on the Examiner's proposed allowable new claim and the 12-5-2005 claims list, and recite the supporting materials from the Specification for all proposed amendments.

As to the term "historical measurement data", SPE advises Applicant to use the words from the Specification. Applicant will follow the SPE's advice suggestion.

5. Applicant describes that Claims 21-22 and 24-25 represent another group of patentable optical fiber drawing processes.

In the 2-10-2006 O.A., the only rejection to these claims is on 35 US 112 2nd paragraph for the two terms: "based on" and "robust".

SPE and new Examiner have allowed Applicant to use the term "based on".

Applicant appreciates that correct action because the term is an allowable term in claims of patents, e.g., more than 310,000 patents (from 1976 to the present) have used the term in their claims. The term is also well used in the laws, rules, decisions and MPEP. Applicant briefly points out a wrong concept of the previous Examiner on the term "based on".

The terms "robust control" and "robustly controlled", as well as "robust performance", have been well frequently used since late 1980s, especially in 1990's and now, in control area.

Applicant does not define these established technical terms, but teaches the present invention – the patentable control methods and the patentable processes of the optical fiber drawing process, "a kind of robust control" [e.g., paragraph 0049], in the Specification as a whole.

There are 574 patents which have used the word "robust" in their claims in recent years as searched from 1976 to the present.

Applicant also notices that the 2-10-2006 O.A. has not listed the term "robust control" for the rejection, by comparing the 6-6-2005 O.A.

Even though the term "robust performance" is not an indefinite term in control area and should be allowed, Applicant shows his willing to work together by amending Claims 21-22 and 24-26 with deleting the term "robust performance" in the claims.

Thus, currently amended Claim 21 has only the term "robustly controlled", and currently amended Claim 26 has only the term "to robustly control", i.e., "robust control" that has not been in the 2-10-2006 rejection list.

SPE agrees with these amendments to Claims 21-22 and 24-26 for patent, and notices that the Specification teaches the present invention with the term "robust".

6. Applicant describes that Claim 26 represents another patentable optical fiber drawing process with distinguished patentable claimed features over the prior art, especially with double measurements of the bare fiber diameters and the new control method.

In the 2-10-2006 O.A., the only rejection to Claim 26 is on 35 USC 112 1st paragraph for the term "double monitoring" and on 35 USC 112 2nd paragraph for the term "robust".

As to the term "robust", Claim 26 has been amended as described above.

As to the term "double monitoring", it is supported by the Specification ("twice measurements") and especially Figures 6-7 ("two bare fiber diameter monitors").

The 3-11-2005 Interview Summary written by another Examiner Peter Chin also summarizes as "double outer diameter measurements".

Thus, Applicant does amendment on Claim 26 by using the term "the double measurements of the bare fiber diameters" to replace the term "double monitoring".

SPE agrees with these amendments to Claim 26 for patent.

7. In all, SPE and Applicant agree with the above summarized claims amendments for patent. SPE says that current anything is OK and the today's proposed claims amendments are reasonable for patent.

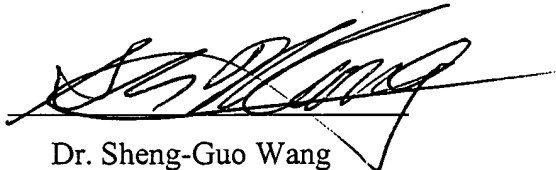
8. Applicant also asked if Applicant needs to file an RCE in view of the deadline 5-10-2006 coming soon from the 2-10-2006 O.A.

SPE advices that no RCE is needed and the notice will be issued before that day.

Applicant will submit the further amended claims and Remarks as highlighted and agreed as above during this weekend.

9. Finally, Applicant again thanks SPE for his time and constructive and helpful discussion and suggestions.

Respectfully submitted by the applicant



Dr. Sheng-Guo Wang

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